

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ATECH (PARENT) RESOLUTION CORP.,
et al.,¹

Debtors.

Chapter 11

Case No. 24-12796 (LSS)

(Jointly Administered)

**ARTHUR GEISS AND JERRY NEAL’S RESERVATIONS OF RIGHTS WITH
RESPECT TO CONFIRMATION OF THE JOINT CHAPTER 11 PLAN OF ATECH
(PARENT) RESOLUTION CORP. AND ITS DEBTOR AFFILIATES**

Arthur Geiss (“Geiss”) and Jerry Neal (“Neal” and together with Geiss, the “Indemnified Directors”) hereby file this reservation of rights (the “Reservation of Rights”) with respect to the *Joint Chapter 11 Plan of ATech (Parent) Resolution Corp. and Its Debtor Affiliates* [D.I. 825] (the “Plan”), filed by ATech Resolution Corp. (f/k/a Akoustis, Inc.) (“Akoustis”) and its affiliated debtors and debtors in possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases. In support of this Reservation of Rights, the Indemnified Directors respectfully state as follows:

RESERVATION OF RIGHTS

1. The Indemnified Directors file this Reservation of Rights solely to reserve and preserve any and all rights the Indemnified Directors have or may have related to or arising out of the Indemnified Directors’ respective, filed claims related to and arising out of their respective indemnification and advancement rights under (i) Article VII of the Certificate of Incorporation of

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: ATech (Parent) Resolution Corp. (9046), ATech Resolution Corp. (5617), GD Chips Resolution Corp. (f/k/a Grinding and Dicing Services, Inc.) (7929), and RF Chips Resolution Corp. (1138). The Debtors’ mailing address is c/o Getzler Henrich & Associates LLC, 295 Madison Avenue, 20th Floor, New York, NY 10017, Attn: Mark D. Podgainsky.

Akoustis, (ii) Article VII of Akoustis's Bylaws, and (iii) those certain indemnification agreements, each dated as of January 19, 2024. *See* Proofs of Claim Nos. 97–104. The Indemnified Directors reserve any and all rights and defenses of setoff and recoupment related to or arising out of such claims and any entitlement in connection therewith.

2. Further, the Indemnified Directors note the Plan limits the proposed releases to only select individuals and not other similarly situated individuals like the Indemnified Directors. Article I.A.83 of the Plan provides that “‘Released Directors and Officers’ means, each of, and in each case in its capacity as such, the directors and officers of the Debtors listed on the ‘Released Directors and Officers Schedule’ attached to the Plan as Exhibit A.” Exhibit A to the Plan provides that the Released Directors and Officers are Jill Frizzley, Matthew Kahn, and Mark Podgainy.

3. To the Indemnified Directors' information and belief, there are no pending claims, causes of action, or other proceedings against the Indemnified Parties. Article IV.O. of the Plan (Preservation of Causes of Action, If Any) does not include any mention of the Indemnified Parties or any alleged claims or causes of action that may be pursued against the Indemnified Parties. The Indemnified Directors submit that, as similarly situated parties, there is no basis to discriminate against them from Exhibit A to the Plan, and further reserve any and all rights to object in the event the Debtors seek to modify the Plan or the Plan Supplement or include language in the proposed confirmation order that affects the Indemnified Directors.

4. For the avoidance of doubt, nothing in this Reservation of Rights is intended to, nor shall be deemed or construed to, be a waiver of any rights, claims, defenses, arguments, or other interests in connection with the *Debtors' Motion for Entry of an Order Under Section 502(c) of the Bankruptcy Code Estimating Certain Claims for Purposes of an Initial Distribution* [D.I. 860].

Dated: December 3, 2025
Wilmington, Delaware

DLA PIPER LLP (US)

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